UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

LILLY HUSKEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	**No. 3:15-cv-279-PLR-CCS**
CAROLYN COLVIN, Acting Commissioner of Social Security,	)	
	)	
	)	
Defendant.	)	

Memorandum Opinion and Order

Before the Court is Magistrate Judge Shirley's Report and Recommendation ("R&R"). [D. 19]. There have been no objections to the R&R, and enough time has passed to treat any objection as forfeited. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(2).

After reviewing the record, the Court agrees with the R&R and **ADOPTS** it. For the reasons stated in the R&R, Huskey's motion for summary judgment is **GRANTED** and the Commissioner's is **DENIED** with respect to the ALJ's failure to discuss Listing 1.04A at Step Three of her analysis; her weighting of Dr. Maffeo's testimony; and her weighting of Cate's testimony. In all other respects, Huskey's motion is **DENIED** and the Commissioner's is **GRANTED**. This case is **REMANDED** to the ALJ. On remand, the ALJ shall reevaluate Step Three of the sequential evaluation by determining whether Huskey's back impairment meets Listing 1.04A; reweigh the opinion of Dr. Maffeo; and reweigh the opinion of Cate.

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE